

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 23-08

Date Received: December 2, 2022

Title: Single Source Reference Removal

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Policy and Guidance: (Please check only one box)

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|---|--|
| <input type="checkbox"/> Policy | <input type="checkbox"/> Procurement Tools and Resources |
| <input checked="" type="checkbox"/> Guidance | <input type="checkbox"/> Real Property Templates and Samples |
| <input type="checkbox"/> Procurement Samples | <input type="checkbox"/> Procurement Clauses |
| <input type="checkbox"/> Procurement Templates | <input type="checkbox"/> Real Property Clauses |
| <input type="checkbox"/> Procurement Forms | <input type="checkbox"/> Other Tools and Resources |
| <input type="checkbox"/> Procurement Checklists | |

Summary of Change: The change removes outdated reference to section 4.2.

Reason for Change:

The change is administrative to remove outdated reference to section 4.2. Deleted content - (For more information about real property specific Market Surveys, See Section 4.2).

Development, Review, and Concurrence: AAP-110

Target Audience: Contracting Officers, Acquisition Workforce

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location: Procurement Guidance - Section T3.2.2.4

The redline version must be a comparison with the current published FAST version.

☒ I confirm I used the latest published version to create this change / redline

or

☐ This is new content

Links: <https://fast.faa.gov/docs/procurementGuidance/guidanceT3.2.2.4.pdf>

Attachments: Redline and final documents.

Other Files: N/A.

Redline(s):

Section Revised: T3.2.2.4 – Single Source

Procurement Guidance - (~~10/2022~~1/2023)

T3.2.2.4 - Single Source Added 10/2006

A Single Source Contracting Added 10/2006

1 Basis for Single Source Revised 9/2021

2 Market Analysis Supporting Single Source Revised ~~10/2021~~1/2023

3 Award of Single Source Revised 9/2021

B Clauses Added 10/2006

C Procurement Forms Revised 9/2021

D Procurement Samples Revised 9/2021

E Procurement Templates Added 9/2021

F Procurement Tools and Resources Added 9/2021

T3.2.2.4 - Single Source Added 10/2006

A Single Source Contracting Added 10/2006

1 Basis for Single Source Revised 9/2021

(a) Single source procurement may be used when in the FAA's best interest. A factual, reasoned, and well-documented rationale must support the decision to use a single source. Excluding emergencies, there are no predetermined or prescribed conditions for using a single source. Each single source decision stands alone and is based on the circumstances.

(b) The rational basis for a single source decision must be documented by the service organization, reviewed by Legal for sufficiency, approved by the Service Organization Official and (if applicable) Contracting Officer's Representative (COR), and concurred with by Contracts or, for purchase card transactions, the Purchase Cardholder. This rationale is documented in a:

- (1) Stand-alone, single source justification using the "Single Source Justification for Products, Services, and Construction Template", located in "Procurement Templates" or the "Single Source Justification for Real Property Template," located in "Real Property Templates & Samples";
- (2) Procurement Plan, if a formal plan is established; or
- (3) Implementation Strategy and Planning Document, if applicable.

(c) Approval of Implementation Strategy and Planning Document or approval of a Procurement Plan constitutes approval of a single-source procurement; however, the rational basis for the single source decision must be reviewed by Legal for sufficiency; no further approval or documentation is necessary.

(d) For single source procurements with a total estimated potential contract value of \$10,000 or less, a justification is not required.

(e) A single source justification is not required for noncompetitive set-asides to an 8(a)-certified Socially and Economically Disadvantaged Business (SEDB), Service Disabled Veteran Owned Small Business (SDVOSB), Women-Owned Small Business (WOSB), Economically Disadvantaged Women-Owned Small Business (EDWOSB), or Historically Underutilized Business Zone (HUBZone) small business. (See AMS Procurement Guidance T3.6.1 "Small Business Program"). A single-source justification is also not required for procurements conducted in accordance with the Javits-Wagner-O'Day Act (Ability/One Program) or the Randolph-Sheppard Act as specified in AMS Guidance T3.8.4.

(f) A single source justification is not required for a site-specific requirement for land or antenna/equipment space, where the location of NAS equipment is (1) necessary to the functionality

of the NAS, and (2) of continued criticality to the NAS or mission of the FAA; or for operational facilities that house equipment and/or personnel that provide Air Traffic Control services to aircraft operating in the NAS. The head of the Technical Operations service organization, or designee, will provide an annual determination identifying equipment and facilities subject to this subsection.

2 Market Analysis Supporting Single Source Revised 10/2021/1/2023

(a) Market analysis provides factual data to form conclusions and verify assumptions that FAA's technical and business interests are best served through a single source. For single source procurements over \$10,000, market analysis is required. A market analysis is not required for emergencies, noncompetitive set-asides to 8(a) SEDB, SDVOSB, WOSB, EDWOSB, or HUBZone small businesses, or for NAS site-specific land or antenna/equipment space or operational facilities acquisitions referenced in AMS 3.2.2.4 and T3.2.2.4A (1)(f) above. The method and extent of the analysis depends on the requirement, complexity, and estimated dollar value. (See AMS Procurement Guidance T3.2.1.2 "Market Analysis" for further information.)

(b) A formal market survey is one method to gather current data to support a single source decision. When used, a formal market survey must include a sufficiently detailed description of key requirements (e.g. technical performance requirements, land or space requirements, or essential knowledge, expertise, or experience, etc.) so that potential vendors can determine whether they have the capability to satisfy FAA's requirements.

FAA also uses these key requirements to evaluate capabilities of any vendors/ lessors responding to the market survey. The market survey may include explicit instructions to potential vendors/ lessors about the acceptable format, form, and level of detail for vendor capability statements or other vendor/lessor information that FAA will use to decide whether other capable vendors/ lessors exist and whether a competitive procurement is appropriate. ~~(For more information about real property specific Market Surveys, See Section 4.2).~~

3 Award of Single Source Revised 9/2021

(a) After the required documentation, concurrences, approval and legal sufficiency are obtained for the single source justification as described above, the CO may negotiate contract terms and price or cost with the single source vendor and award the procurement action. Until the single-source justification is fully executed, no one may request any type of proposal information from the vendor.

(b) When the total estimated potential value of the procurement action is over \$150,000, the CO must issue a pre-award public announcement (excluding emergencies and other acquisitions that otherwise would not require announcement, e.g. Delivery Orders, Single Source SEDB, SDVOSB, WOSB, EDWOSB, and HUBZone awards) summarizing the basis for the single source decision. The CO may make a post award announcement to promote potential subcontracting opportunities. (Also see AMS Procurement Guidance T3.13.1 "Other Administrative Procedures" for information

about notifications to FAA management and Congress).

B Clauses Added 10/2006

[view contract clauses](#)

C Procurement Forms Added 9/2021

	Document Name

D Procurement Samples Added 9/2021

	Document Name
	Notice of Intent to Contract With Single Source

E Procurement Templates Added 9/2021

	Document Name
	Single Source Justification for Products, Services, and Construction Template

F Procurement Tools and Resources Added 9/2021

	Document Name